

1 Kevin G. Little, SBN 149818  
2 Michelle L. Tostenrude, SBN 290121  
2 **LAW OFFICE OF KEVIN G. LITTLE**  
Post Office Box 8656  
3 Fresno, California 93747  
Telephone: (559) 342-5800  
4 Facsimile: (559) 242-2400  
E-Mail: kevin@kevinglittle.com  
5

6 Attorneys for Plaintiffs Maria Velarde-Crist  
and Michael Crist

7 Kathleen M. Hartman, SBN 219934  
8 **CALLAHAN, THOMPSON, SHERMAN & CAUDILL, LLP**  
9 2601 Main Street, Suite 800  
Irvine, California 92614  
Telephone: (949) 261-2872  
Facsimile: (949) 261-6060  
10 E-Mail: khartman@ctsclaw.com

11 Attorneys for Defendant Dr. Nicolas Retana

12

13 **IN THE UNITED STATES DISTRICT COURT**  
14 **EASTERN DISTRICT OF CALIFORNIA, FRESNO DIVISION**  
15

16 MARIA VELARDE-CRIST; and MICHAEL  
CRIST,

17 Plaintiffs,

18 v.

19 EZEQUIEL TAFOYA ALVARADO  
20 ACADEMY; DR. NICOLAS RETANA; RUBI  
BERNAL; and DOES 1-20,

21 Defendants.

22 Case No.: 1:20-cv-01306-AWI-BAM

23 **STIPULATION AND ORDER TO  
CONTINUE FILING DEADLINES AND  
HEARING RELATED TO DEENDANT DR.  
NICOLAS RETANA'S MOTION FOR  
SUMMARY JUDGMENT**

24 Motion Hearing: September 12, 2022  
Action Filed: September 13, 2020  
Trial Date: August 29, 2023

25 SUBJECT TO THE APPROVAL OF THE COURT, the parties hereby stipulate to the  
26 following:

27  
28 **STIPULATION AND ORDER TO CONTINUE FILING DEADLINES AND HEARING RELATED TO  
DEENDANT DR. NICOLAS RETANA'S MOTION FOR SUMMARY JUDGMENT**

1           WHEREAS, Plaintiffs' head counsel of record is currently in trial on a federal murder  
2 case with multiple defendants, Eastern District of California Case No. 1:18-cr-00002-JLT-SKO.  
3 This trial began on May 30, 2022, and was originally anticipated to take approximately eight  
4 weeks. However, since its commencement, this trial has been stalled and delayed over several  
5 weeks, due to a number of the parties contracting Covid-19 at different times throughout the  
6 trial, including multiple members of the jury. As a result, this trial is now expected to last  
7 through the end of August at the earliest.

8           WHEREAS, the current deadline for Plaintiffs to file their opposition to defendant Dr.  
9 Nicolas Retana's motion for summary judgment is August 12, 2022, and the hearing for  
10 defendant's motion is currently scheduled for September 12, 2022. Plaintiff's counsel anticipates  
11 being in the aforementioned trial through all filing deadlines.

12           THEREFORE, IT IS HEREBY STIPULATED AND AGREED by and between the  
13 respective attorneys of record for Plaintiffs and defendant Dr. Nicolas Retana, subject to the  
14 approval of the Court, as follows:

15           1.       Plaintiffs' deadline to file their opposition to defendant Dr. Nicolas Retana's  
16 motion for summary judgment filed on July 29, 2022, shall be extended to September 9, 2022;

17           2.       Defendant Dr. Nicolas Retana's deadline to file his reply to Plaintiffs' opposition  
18 shall be extended to September 19, 2022; and

19           3.       The hearing on defendant Dr. Nicolas Retana's motion for summary judgment  
20 currently scheduled for September 12, 2022, shall be continued to October 24, 2022, or a date as  
21 soon thereafter as the Court is available.

22           //

23           //

24           //

25           //

26           //

27           //



1 Dated: August 10, 2022

LAW OFFICE OF KEVIN G. LITTLE



2  
3 Kevin G. Little  
4 Attorneys for Plaintiffs Maria Velarde-Crist,  
5 and Michael Crist  
6

7 Dated:

8 CALLAHAN, THOMPSON, SHERMAN,  
9 & CAUDILL, LLP  
10

11 /s/ Kathleen M. Hartman  
12 Kathleen M. Hartman  
13 Attorneys for Defendant Dr. Nicolas Retana  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28

KGL

## **[PROPOSED] FINDINGS AND ORDER**

2 The parties having so stipulated, and good cause appearing therefor, the Court orders as  
3 follows:

4 1. Plaintiffs' deadline to file their opposition to defendant Dr. Nicolas Retana's  
5 motion for summary judgment filed on July 29, 2022, shall be extended to September 9, 2022;

6 2. Defendant Dr. Nicolas Retana's deadline to file his reply to Plaintiffs' opposition  
7 shall be extended to September 19, 2022; and

8       3.       The hearing on defendant Dr. Nicolas Retana's motion for summary judgment  
9 currently scheduled for September 12, 2022, shall be continued to October 24, 2022.

## 1 | IT IS SO ORDERED.

<sup>2</sup>|| Dated: August 10, 2022

Ashblu  
SENIOR DISTRICT JUDGE

**SENIOR DISTRICT JUDGE**